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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10 The Facebook, Inc., et al.,

NO. C 07-01389 JW

11 Plaintiffs,

**ORDER TO SHOW CAUSE RE: SPECIAL
MASTER'S REPORT NO. 1**

12 v.

13 ConnectU, Inc., et al.,

14 Defendants.
_____ /

15 On September 3, 2008, the Court received Report No. 1 from the Special Master. The parties
16 are Ordered to appear on **October 28, 2008 at 10 a.m.** and show cause, if any, why the Court should
17 not Order the Master to take the following actions:

18 1. Deliver the ConnectU shares which have been submitted to the Master to Facebook, Inc.;
19 and to

20 2. Substantially simultaneously deliver the cash or its equivalent in the form of a bank or
21 cashier's check and the Facebook, Inc. common shares which have been submitted to the Master to
22 the principals of ConnectU; and to

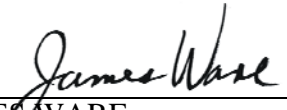
23 3. Substantially simultaneously file the tendered dismissals of the actions resolved in the
24 settlement with the appropriate courts.

25 The Court recognizes that there is an appeal pending with respect to this matter, but that a
26 request to stay execution of the settlement was denied by the Ninth Circuit. It has come to the
27 attention of the Court that claims or liens have been asserted by third-parties. If a party wishes the
28 Court to give particular consideration to these matters in any Order issuing from the hearing, no later

1 than fifteen (15) days prior to the date of the hearing, the party is ordered to file a memorandum
2 stating its contention and the legal basis for it.

3 Further, it has come to the attention of the Court that, among other matters, one or more
4 parties might dispute the language of a “release” tendered in compliance with the Judgment. No
5 later than fifteen (15) days prior to the hearing, any such party shall file a memorandum showing
6 cause why the Court should not order the parties to sign a tendered release. Alternatively, on its
7 own motion, the Court is considering whether, in lieu of requiring the parties to sign a separate
8 release document, the Judgment should not be modified to regard the language of the Term Sheet
9 and Settlement Agreement as the release agreement of the parties. Any party wishing to address this
10 issue shall do so in a similarly filed memorandum fifteen (15) days prior to the date of the hearing.

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12 Dated: September 19, 2008



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Chester Wren-Ming Day cday@orrick.com
D. Michael Underhill Munderhill@BSFLLP.com
3 David A. Barrett dbarrett@bsflfp.com
Evan A. Parke eparke@bsflfp.com
4 George C. Fisher georgecfisher@gmail.com
George C. Fisher georgecfisher@gmail.com
5 George Hopkins Guy hopguy@orrick.com
I. Neel Chatterjee nchatterjee@orrick.com
6 Jonathan M. Shaw jshaw@bsflfp.com
Kalama M. Lui-Kwan klui-kwan@fenwick.com
7 Mark A. Weissman mweissman@osheapartners.com
Mark Andrew Byrne markbyrne@byrnenixon.com
8 Monte M.F. Cooper mcooper@orrick.com
Rachel E. Matteo-Boehm rachel.matteo-boehm@hro.com
9 Roger Rex Myers roger.myers@hro.com
Scott Richard Mosko scott.mosko@finnegan.com
10 Sean Alan Lincoln slincoln@Orrick.com
Sean F. O' Shea soshea@osheapartners.com
11 Steven Christopher Holtzman sholtzman@bsflfp.com
Theresa Ann Sutton tsutton@orrick.com
12 Tyler Alexander Baker Tbaker@fenwick.com
Valerie Margo Wagner valerie.wagner@dechert.com
13 Warrington S. Parker wparker@orrick.com
Yvonne Penas Greer ygreer@orrick.com
14

15 **Dated: September 19, 2008**

Richard W. Wieking, Clerk

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17 By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy
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